

REMARKS

With the foregoing amendment claims 1-4 and 6-19 are pending in the application. Claim 20 is cancelled. Claims 1, 8 and 16 are independent. No new matter has been added by the amendments. Applicants respectfully request reconsideration.

Rejection of claims 1, 4, 6-8, 10-16 and 18-20

Claims 1, 4, 6-8, 10-16 and 18-20 stand rejected under 35 U.S.C. 103 as being unpatentable over Brill (US 6,816,184) in view of Amini (US 6,698,021). Applicants respectfully traverse.

With respect to claim 1, claim 1 is patentable over Brill in view of Amini because neither Brill nor Amini, considered alone or in combination, teach or suggest all of the features of claim 1. For example, at the least, neither Brill nor Amini teach or suggest

a processor in communication with said electronic image sensor and said memory, said processor for determining when a restroom use event is not followed by a sink use event and for performing a pre-defined action if it is determined that the restroom use event is not followed by a sink use event, wherein said processor is configured to determine whether the restroom use event is not followed by a sink use event by performing a process comprising: (a) using said image processing code to identify an object in said digital image frame, (b) using the object-to-event mapping table to determine the particular object to which the sink use event is mapped, and (c) determining whether the identified object matches the particular object to which the sink use event is mapped,

as is recited in claim 1, as amended.

The Office does not allege that Amini discloses “storing information that maps a predefined object to a sink use event.” Further the Office admits that Brill does not specifically teach “storing information that maps a predefined object to a sink use event.” The Office merely states, “it would have been obvious to one of ordinary skill to make certain event [sic] of importance to monitor because the certain events are what set all

security system [sic] into an active state so all security system have some level of events that render the cameras active.” *Office Action, page 4.*

The Office’s statement regarding the prior art is irrelevant. It is irrelevant because claim 1 requires not simply monitoring any certain event, but rather monitoring a “sink use event.” Thus, the fact that it may be well known to use an image capturing device to monitor some certain event, does not mean that it is well known to use an image capturing device to monitor a “sink use event.” In other words, the Office has not established a *prima facie* case of obviousness because the Office has not established that there exists “some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify” Brill such that the system disclosed in Brill is used to monitor a “sink use event,” as is required by claim 1.

Accordingly, neither Brill nor Amini, considered alone or in combination, teach or suggest all of the features of claim 1. Hence, claim 1 is patentable over these two references. Similarly, claims 2-7, which depend from claim 1, are patentable over Brill and Amini.

With respect to claims 8 and 16, the above remarks for claim 1 apply because like claim 1, claims 8 and 16 require “determining whether a sink use event has occurred” and “[an] object that represents a sink use event,” respectively. Thus, claims 8 and 16 (and the claims that depend therefrom) are patentable over Brill and Amini.

Rejection of claims 1, 4, 6-8, 10-16 and 18-20


Claims 2, 3, 9 and 17 stand rejected under 35 U.S.C. 103 as being unpatentable over Brill (US 6,816,184) in view of Amini (US 6,698,021) and Budge (US 6,359,560). Applicants respectfully traverse. Claims 2, 3 depend from claim 1, claim 9 depends from claim 8 and claim 17 depends from claim 16. Accordingly, claims 2, 3, 9 and 17 are patentable for at least the reasons given above.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

RESPECTFULLY SUBMITTED,					
<i>NAME AND REG. NUMBER</i>	Brian Rosenbloom, Registration No.: 41,276				
<i>SIGNATURE</i>		<i>DATE</i>	9/27/05		
<i>Address</i>	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
<i>City</i>	Washington	<i>State</i>	D.C.	<i>Zip Code</i>	20005
<i>Country</i>	U.S.A.	<i>Telephone</i>	202-783-6040	<i>Fax</i>	202-783-6031